



U.S. Department of Justice

Environment and Natural Resources Division

DJ#90-11-2-1109

Environmental Enforcement Section
P.O. Box 7611
Washington, DC 20044-7611

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July 25, 1997

VIA U.S. MAIL FIRST CLASS

Bernard Konkle, President
Decker Manufacturing Corporation
703 North Clark Street
Albion, Michigan 49224

Re: Albion-Sheridan Township Landfill Superfund Site
Albion, Michigan

Dear Mr. Konkle:

This is to notify you that the U.S. Department of Justice, at the request of the U.S. Environmental Protection Agency ("U.S. EPA"), is prepared to bring a federal court action against the Decker Manufacturing Corporation ("Decker"), for recovery of costs incurred by the United States in responding to the release or threatened release of hazardous substances at the Albion-Sheridan Township Landfill Site (the "Site"), pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA").

Before filing the complaint, however, we are extending to you the opportunity to discuss settlement of the above-described matter. The United States is seeking to recover its response costs from the responsible parties. To January 31, 1997, the United States has incurred approximately \$900,000, in unreimbursed costs, in connection with response actions at the Site. The United States is interested in settling the matter jointly with all responsible parties, and generally leaves to defendants the task of determining the appropriate share to be paid by each party. However, the United States is willing to discuss a separate settlement with Decker for its equitable

share.

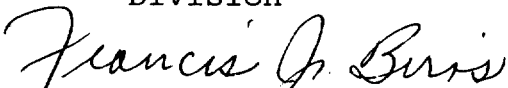
If you believe that there are financial factors which bear on your ability to reimburse the United States, please provide us this information at least one week prior to any scheduled settlement meeting. This information should include, but is not limited to, copies of tax returns for the past five years, and/or any other supporting financial information. In addition, if you believe there are other factors which may potentially impact the amount that U.S. EPA is seeking to recover, we request that you also provide any and all such information to us at least one week in advance of the meeting. The United States is willing to consider all such information before making a settlement demand, but the burden is on you to provide such information.

If you are interested in resolving this matter short of litigation, please contact me promptly, and we can arrange a meeting. It is our hope that we can resolve this matter short of litigation.

Thank you very much for your prompt attention to this important matter.

Sincerely,

Lois J. Schiffer
Assistant Attorney General
Environment and Natural Resources
Division

By: 

Francis J. Biros
Trial Attorney
Environmental Enforcement Section